

Message Text

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FM AMEMBASSY SOFIA

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SUBJECT DUAL NATIONALITY QUESTION

REF: A) STATE 154027; B) SOFIA 1064; C) 77 STATE 073113

1. EMBASSY BELIEVES KOVAVHEV'S ASSERTION (REF B) THAT BULGARIAN-BORN, NATURALIZED US CITIZENS REMAIN BULGARIAN CITIZENS UNDER BULGARIAN LAW AND, THUS, ARE REQUIRED TO ENTER BULGARIA ON BULGARIAN PASSPORTS IS NOT AN ACCURATEO INDICATION OF GOB POLICY BUT, RATHER, REPRESENTS OVACHEV'S OWN ATTEMPT TO SET TOUGH TONE IN HIS FIRST MEETING WITH KM, CONOFF AND VISITIMG DESK OFFICER. SEVERAL BULGARIAN-BORN, NATURALIZED US CITIZENS, ALL OF WHOM FAILED TO RETURN TO BULGARIA AFTER TOURIST TRIPS ABROAD AND COULD BE CONSIDERED BY GOB TO BE ABROAD "ILLEGALLY," HAVE REGISTERED WITH THE EMBASSSY IN RECENT WEEKS AND HAVE REPORTED NO PROBLEMS WITH GOB AUTHOGITIES UPON ENTERING BULGARIA ON US PASSPORTS. WHILE ONE SUCH US CITIZEN WAITED ALMOST THREE MONTHS BEFORE RECEIVING A BULGAGIAN ENTRY VISA IN HIS US PASSPORT, SEVERAL OTHERS DID NOT FACE UNDUE DELAYS FOR BULGARIAN VISA ISSUANCE. IT IS THE EMBASSY'S BELIEF THAT, DESPITE KOVACHEV'S STATEMENT ON GOB POLICY ON DUAL NATIONALITY, THE ISSUANCE OF A BULGARIAN VISA TO A BULGARIAN-BORN,

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NATURALIZED US CITIZEN BEARING A VALID US PASSPORT IS, IN ITSELF, TACIT RECOGNITION BY GOB OF THE TRAVELLER'S US CITIZENSHIP. IN ONE RECENT CASE, THE US CITIZEN IFICATED THAT BULGARIAN COMSUL (TOSHOV) IN WASHINGTON STATED AS MUCH WHEN QUERIED ON THIS POINT. OF COURSE, THIS DOES NOT PRECLUDE THE POSSIBILITY THAT IN AN INDIVIDUAL CASE WHERE EXTREME POLITICAL SENSITIVITIES IN THE EYES OF THE GOB)

MIGHT BE INVOLVED, THIS RECOGNITION BY GOB MIGHT BE WITHHELD AFTER THE INDIVIDUAL ENTERED BULGARIA.

2. EMBASSY UNDERSTANDS THAT PRESENT PROCEDURE FOR RENUNCIATION OF BULGARIAN CITIZENSHIP INVOLVES ONLY AN APPLICATION TO THE BULGARIAN MINISTRY OF JUSTICE VIA A BULGARIAN EMBASSY, IF ABROAD) FOR RELEASE FROM BULGARIAM CITIZENSHIP. THOUGH THE EMBASSY IS AWARE OF SEVERAL INDIVIBUAL CASES WHERE RENUICATION WAS PERMITTED, E ARE ALSO AWARE OF WAYS IN WHICH GOB HAS REFUSED TO ACCEPT PETITIONS TO RENOUNCE BULGARIAN CITIZENSHIP. IT APPEARS THAT A NUMBER OF BULGARIAN-BORN, NATURALIZED US CITIZENS HAVE OPTED FOR OBTAININGTACIT RECOGNITION OF THEIR US CITIZENSHIP BY GOB AS WELL AS LOSS OF BULGARIAN NATIONALITY) WHEN TRAVELLING TO BULGARPA BY SIMPLY APPLYING FOR AND RECEIVING BULGARIAM VISAS. FOR THEM, THIS IS A PRACTICAL SOLUTION TO THEIR IMMEDIATE PROBLEM OF ARRANGING A VISIT TO BULGAGIA TO SEE THEIR RELATIVES. AS REF A POINTED OUT, US CITIZENSHIP AND VISA LAW DOES NOT PROVIDE FOR AUTOMATIC LOSS OF US CITIZENSHIP UPON NATURALIWTION IN A FOREIGN STATE, NOR DOES IT PERMIT THE ISSUANCE OF A US VISA TO A PERSON CONSIDERED TO BE A US CITIZEN.

3. EMBASSY PREFERS NOT TO RAISE THIS ISSUE FORMALLY WITH MFA AT THIS TIME SINCE WE CONSIDER THAT THE US POSITION HAS BEEN AMPLY STATED IN THE PAST LANGUAGE REF C CONVEYED TO LIMITED OFFICIAL USE

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MFA VIA AIDE MEMOIRE IN APRIL 1977) AND HAS NOT BEEN SUBSEQUENTLY CHALLENGED BY THE GOB. TAKING THE VIEW THAT KOVAVHEV WAS NOT PRESENTING NEW GOB INTERPRETATION BUT ONLY REHASHING AN OLD GOB ARGUMEMT WHICH HAS BEEN, IN OUR OPINION, SUCCESSFULLY REFUTED), EMBASSY BELIEVES THIS QUESTION SHOULD REMAIN A NON-ISSUE. WHAT WE WANT IS FOR THE INDIVIDUALS MOST CONCERNED--THE BULGARIAN-BORN, NATURALIZED US CITIZENS--TO CONTINUE TO BE ALLOWED BY THE GOB TO TRAVEL

WITHOUT INCIDENT TO BULGARIA AS US CITIZENS. WHAT WE DO NOT WANT IS TO BECOME EMBROILED IN COUNTERPRODUCTIVE LEGAL ARGUMENTS WITH CONSULAR DEPARTMENT OF MFA.

4. NEEDLESS TO ADD, IF FUTURE DEVELOPMENTS IN ANY INDIVIDUAL CASE SHOULD WARRENT, EMBASSY WILL MAKE VIGOROUS APPROACH TO APPROPRIATE LEVEL OF GOB ON THE DUAL NATIONALITY ISSUE.
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